



Yuma County, Arizona
DEPARTMENT OF DEVELOPMENT SERVICES

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Robert L. Pickels, Jr.
County Administrator
Clerk of the Board

**YUMA COUNTY PLANNING & ZONING COMMISSION
MEETING MINUTES**

DATE: Monday, January 26, 2015
PLACE: Aldrich Auditorium, 2351 W. 26th Street, Yuma, AZ

1. Call to Order the Regular Session of the Yuma County Planning and Zoning Commission and verify quorum.

Chairman Henry convened the Planning Commission meeting to order at 5:00 p.m. Commissioners present were Martin Porchas, Alicia Aguirre, Gary Black, Max Bardo, Chairman Michael Henry, Vice-Chairman Wayne Briggs, John McKinley, Matias Rosales and Tim Bowers. Commissioner Paul White was absent.

Others present: Planning Director Monty Stansbury, Senior Planner Chad Bahr, Senior Planner Juan Leal-Rubio, Senior Planner Javier Barraza, Deputy County Attorney Edward Feheley, Office Specialist III Malinda Mitchell and Office Specialist II Brandi Siqueiros.

2. Pledge of Allegiance.

Chairman Henry led the Pledge of Allegiance.

3. Elect a Chairman for the Yuma County Planning & Zoning Commission for Calendar Year 2015.

Commissioner Black made a motion nominating Commissioner Henry as Chairman for calendar year 2015. Commissioner Bowers seconded the motion. The nomination carried 9-0.

4. Elect a Vice-Chairman for the Yuma County Planning & Zoning Commission for Calendar Year 2015.

Commissioner McKinley made a motion nominating Commissioner Briggs as Vice-Chairman for calendar year 2015. Commissioner Bardo seconded the motion. The nomination carried 9-0.

5. Approval of Planning and Zoning Commission regular meeting minutes of December 8, 2014.

Commissioner Black made a motion recommending approval of the Planning and Zoning Commission regular meeting minutes of December 8, 2014. Commissioner Briggs seconded the motion. The motion carried 9-0.

6. **Rezoning Case No. 14-07:** William R. and Sandra M. Leeper request the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Rural Area-5 acre minimum (RA-5), Assessor's Parcel Number 200-24-014, located at the northwest corner of the alignment of Avenue 27¼E and County 13¾ Street, Wellton, Arizona.

Juan Leal-Rubio, Senior Planner, gave the staff report recommending approval of Rezoning Case No. 14-07, with the following Performance Conditions and Schedule for Development:

Performance Conditions:

1. The owner shall submit a signed and notarized A.R.S. §12-1134 waiver to the Department of Development Services within 60 days of approval of this rezoning case by the Board of Supervisors.
2. The owner or applicant shall record the following disclosure statements/easements within 60 days of Board of Supervisors' approval of this rezoning case and submit them to the Department of Development Services:
 - a. An agricultural disclosure statement.
 - b. An infrastructure disclosure statement.
 - c. A range disclosure statement.
 - d. A restricted airspace disclosure statement.

Schedule for Development:

1. Within one year of approval by the Board of Supervisors, a Land Division Permit shall be applied for and approved in accordance with the Yuma County Zoning Ordinance, Section 507.00--Land Divisions.

Applicant William Leeper, 2465 S. 8th Avenue, Yuma, AZ appeared before the Commission. Chairman Henry inquired if the applicant had problems with the conditions set forth by staff. Applicant stated that he had no problems complying.

Chairman Henry opened and then closed the public meeting.

Commissioner Bardo made a motion recommending approval of Rezoning Case No. 14-07. Commissioner Black seconded the motion. The motion carried 9-0.

7. **Special Use Permit No. 14-09:** Randy L. Freston of TDS Telecom, agent for Arizona Telephone Company, requests a Special Use Permit per Section 601.03(Y) of the Yuma County Zoning Ordinance to allow a wireless communication facility on a parcel 0.86 gross acres in size zoned Rural Area-40 acre minimum (RA-40), Assessor's Parcel Number 153-01-013, located at 14201 North Avenue 75¼E, Dateland, Arizona.

Javier Barraza, Senior Planner, gave the staff report recommending approval of Special Use Permit No. 14-09 subject to the following conditions:

Performance Conditions:

1. The owner/applicant shall submit the following documents within 60-days of Board of Supervisors approval:
 - a. An A.R.S. §12-1134 waiver.
 - b. A range disclosure statement.
2. The owner/applicant shall acquire and have finalized all required permits as per appropriate code requirements within one (1) year of approval by the Board of Supervisors or the Special Use Permit shall expire pursuant to Section 402.5(B)(1)(a) of the Yuma County Zoning Ordinance.

Operational Conditions:

1. The approval of the Special Use Permit is based on the site plan submitted by the applicant. Any change from the site plan will require approval by the County Planning Director pursuant to Section 402.04 of the Yuma County Zoning Ordinance.
2. The Special Use Permit is limited to a single lattice tower 100 feet in height.
3. The proposed tower must be lighted with a white strobe light at the top of the structure for operation during daylight hours and a red beacon at the top of the structure for operation from dusk to dawn (night-time operations) and with an additional steady burning red light placed on the tower at 50% of the tower's total height.
4. The applicant must comply with all Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) regulations, including marking, lighting, and notification requirements.
5. The proposed tower must be removed with the cessation of its use.

Chairman Henry questioned the staff on whether the permit is good until the tower is no longer operational. Staff confirmed that is correct.

Agent Randy L. Freston, 5593 N. Storm Cloud Drive, Kingman, AZ appeared before the commission. Chairman Henry inquired if the agent had problems with the conditions set forth by staff. Agent stated that he had no problems complying.

Commissioner Bardo asked why the agent chose this location for the tower. The agent stated that there is hard rock between the two existing towers that cannot be plowed through and requested the tower be co-located on the American Tower site at Dateland.

Chairman Henry opened and then closed the public meeting.

Commissioner McKinley made a motion recommending approval of Special Use Permit No. 14-09. Commissioner Aguirre seconded the motion. The motion carried 9-0.

8. Proposed text amendment to the Yuma County Zoning Ordinance (YCZO), Section 1115.06(D)--Co-location Considerations and Section 1115.07(B)--Approval Procedures regarding a recent (Oct. 21, 2014) Federal Communication Commission (FCC) ruling.

Senior Planner, Chad Bahr presented the proposed text amendment to comply with a Federal Communications Commission ruling dated October 21, 2014 where counties have no more than 60 days to decide on wireless applications not involving substantial change. Currently, the wording found in the Yuma County Zoning Ordinance allows for 90 days for review/approval of various wireless communication improvements. This 60-day time frame in this ruling is commonly known as the "60-day shot clock" time frame given to counties in which to review applications.

Senior Planner, Chad Bahr recommended initiating a text amendment to amend Section 1115.06 and 1115.07 of the Yuma County Zoning Ordinance to comply with the October 21, 2014 FCC ruling.

Paula Backs, Community Planning Liaison with MCAS, submitted comments by email on the proposed text amendment.

Commissioner Bardo asked staff for clarification on whether the comments addressed the amendment or the FCC regulations in general. Staff stated that that he believes MCAS would like to expand the application in order to receive additional information needed by MCAS.

Chairman Henry stated that it seemed to him that Ms. Backs was trying to avoid overlapping frequencies for MCAS. Staff agreed.

Chairman Henry opened and then closed the public meeting.

Commissioner Briggs made a motion recommending changes of the proposed text amendment to the Yuma County Zoning Ordinance (YCZO), Section 1115.06(D)--Co-location Considerations and Section 1115.07(B)--Approval Procedures regarding a recent (Oct. 21, 2014) Federal Communication Commission (FCC) ruling. Commissioner Bowers seconded the motion. The motion carried 9-0.

9. Presentation and discussion by Gene Dalbey concerning bicycling in and around the Yuma area.

Gene Dalbey, 1183 W. 37th Street, Yuma, AZ presented on the benefits of bicycling in and around the Yuma area.

Commissioner Bardo questioned Mr. Dalbey on the use of canal banks for bicycling; questioning what the argument/issue with other water user/irrigation districts in using the canal banks. Mr. Dalbey suggested that perhaps it is a liability issue.

Planning & Zoning Commission
Regular Meeting Minutes - January 26, 2015

Commissioner Briggs questioned Mr. Dalbey on what other means he has in educating the public on this issue, as CAGG meetings will be starting again soon and attendance at these meetings would be beneficial. Mr. Dalbey agreed that educating the public is important and stated that he also holds training sessions on traffic safety, etc.

Chairman Henry stated that he rides a recumbent bike and agrees that the minimal cost involved in adding an additional 3 feet of asphalt would be beneficial.

Chairman Henry opened the public meeting.

Michael Trimble, 3802 Main Street, Apt. 2F, Munhall, PA spoke in support of bicycling and is considering relocating to Yuma due to the flat surfaces and great bicycling weather. Has a video on YouTube called Inspiration on Wheels.

Jeff Brand, 10447 S. Cyclone Avenue, Yuma, AZ spoke in support of bicycling to attract more winter visitors.

Marty Colvenson, 10722 S. Williams Avenue, Yuma, AZ spoke in support of bicycling and increasing the roadway width by 2-3 feet to accommodate bicyclists.

Allen Pruitt, 1906 S. 6th Avenue, Yuma, AZ spoke in support of bicycling. He works with the Wounded Warrior program and would like to bring bicycling events to Yuma, but in its current state, it is too dangerous for the recumbent bikes that the wounded warriors ride. Commissioner Briggs suggested that he speak at the BOS meeting regarding the work that he does with the program.

Chairman Henry closed the public meeting.

Commissioner Bardo commented that when they are considering cases, that they keep bicycling in the forefront of their minds.

Chairman Henry asked if there was something that can be done in the plan development program. Monty Stansbury stated that it could be included in the plan development district scheme. With new development in residential subdivisions, the idea is that we should at least be looking at improvement in the County area.

Commissioner Black commented that there are areas in the South County that could be developed to bicycling.

Commissioner Porchas commented that clearing the debris from the shoulders of Hwy 95 would greatly improve the ride of bicyclists. As well as identifying the canals between Somerton and Yuma.

Commissioner Rosales commented that the City of San Luis will have bicycling lanes in the redesigned section of Hwy 95. Completion will be in the March/April timeframe.


10. Discussion by the Commission members and Planning Director of events attended, current events, and the schedule for future Planning Commission meetings.

No items for discussion.

11. Adjourn.

The meeting adjourned at 6:10 p.m.

These minutes were approved and accepted on this 23rd day of February, 2015.


Witness:
Michael Henry
Chairman


Attest:
Monty M. Stansbury, AICP
Planning Director